

Government of Madras.

HOME DEPARTMENT

(EDUCATION)

G.O. No. 1207, 17th November 1916



INDEXED

University Regulations

Sanctioning certain alterations in the — providing for a reversion to the old scheme of a two years' course in Law and for the holding of the examinations twice a year.

2
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HOME DEPARTMENT

(EDUCATION)

G.O. No. 1207, 17th November 1916

N.P.

ORIGINAL

University Regulations

Sanctioning certain alterations in the — providing for a reversion to the old scheme of a two years' course in Law and for the holding of the examinations twice a year.

GOVERNMENT OF MADRAS

HOME DEPARTMENT

(Education)

READ—the following papers :—

I

G.O. No. 727, Educational, dated the 3rd July 1915.

ABSTRACT.—Sanctioning the University regulations relating to the extension of the B.L. degree course from two to three years.

II

Letter—from F. DEWSBURY, Esq., B.A., LL.B., Registrar, University of Madras.
To—the Secretary to Government, Home (Education) Department.
Dated—the 9th November 1916.
No.—8679.

I have the honour, by direction of the Syndicate, to submit for the sanction of Government under section 25 (1) of the Indian Universities Act, 1904, the enclosed alterations in the regulations relating to the examinations for the Degree of Bachelor of Laws. These alterations provide—

(1) for the substitution of a fresh body of regulations for the examinations in Law for the existing regulations, involving a return to the old scheme of a two years' course in Law instead of the three years' course adopted by the Senate, on the recommendation of the Faculty of Law, in March 1915 and sanctioned by the Government in G.O. No. 727, Educational, dated 3rd July 1915.

(2) for certain consequential changes in Transitory Regulations 422 (page 315 of Volume I of Calendar for 1916), 222-A and 220-A (page 562 of Volume I of Calendar for 1916);

(3) for a new body of transitory regulations indicating the manner in which candidates for the B.L. degree who entered upon the courses of study in Law in the year 1914 or earlier, and those who entered upon the courses of study in Law in the year 1915 or later may qualify for the degree under the revised regulations. These alterations in the regulations were, on the recommendation of the Faculty of Law, adopted by the Senate at its adjourned meeting held on the 28th October 1916.

2. I am to furnish the following explanation in regard to these alterations :—

The Senate at its adjourned meeting held on the 21st July 1916 on the motion of the late Mr. A. Subrahmanya Aiyar, an Ordinary Fellow, reconsidered the question of a three years' course for candidates for the B.L. degree and passed the following resolutions :—

"That the Faculty of Law be requested to consider and report as to whether it is not expedient and desirable, by such reduction and readjustment of subjects for the Law course as may be deemed fit, to revert to the old scheme of a two years' course in Law instead of a three years' course, and to report to the Senate in the form of amendments to the regulations any alterations in the directions above indicated which may be agreed upon."

"That each of the Law examinations be held twice a year, and that for this purpose the Syndicate be requested to draft under Regulation 96 (viii) such regulations or consequential amendments thereof as may be necessary and submit them to the Senate for approval at the October meeting of the Senate."

The Syndicate remitted the second resolution above to the Faculty of Law for disposal. The Faculty considered both these proposals and recommended to the Senate the alterations in the regulations now submitted to the Government for sanction.

I have to ask the favour of very early orders on this communication.

ENCLOSURE

Resolutions adopted by the Senate at its adjourned meeting held on 28th October 1916.

(i) That, for Regulations 218 to 232, both inclusive, relating to the examinations for the Degree of Bachelor of Laws, the revised regulations printed as appendix be substituted and come into force forthwith.

(ii) That Transitory Regulation 422 (i) (page 315 of Volume I, University Calendar 1916) be rescinded.

(iii) That, in Transitory Regulation 422 (ii), the last sentence beginning with the words "such candidates" be rescinded.

(iv) That, in Transitory Regulations 222-A and 229-A (page 562 of Volume I of University Calendar 1916), for the words "10th July" the words "15th July" be substituted.

(v) That the following transitory regulations be adopted :—

(1) Candidates for the B.L. degree who entered upon the courses of study in Law in the year 1914 or earlier may, until the year 1918, at their option, take advantage of Transitory Regulation 422 (pages 315 and 316) or may qualify for the degree as follows :—

(a) if they have qualified for both the certificates of attendance at an affiliated college prescribed by the regulations in force in the year 1914 for the examinations for that degree,

by appearing for and passing the First Examination in Law and the B.L. degree examination under the regulations in force in the year 1917, without the necessity of producing additional certificates of attendance at an affiliated college; such candidates as have already passed the First Examination in Law held under the regulations in force in the year 1914 will not be required to pass the corresponding examination under the regulations in force in the year 1917.

(b) if they have qualified for the certificate of attendance at an affiliated college prescribed by the regulations in force in the year 1914 for the First Examination in Law,

by appearing for and passing the First Examination in Law and the B.L. degree examination under the regulations in force in the year 1917 without the necessity of producing an additional certificate of attendance at an affiliated college in respect of the corresponding First Examination in Law under the regulations in force in the year 1917.

(2) Candidates for the B.L. degree who entered upon the courses of study in Law in the year 1915 or later may qualify for the degree,

(a) if they have passed the First Examination in Law under the regulations in force in the year 1916,

by passing the B.L. degree examination under the regulations in force in the year 1917;

(b) if they have not passed the First Examination in Law under the regulation in force in the year 1916,

by passing the two examinations under the regulations in force in the year 1917, provided that candidates who have qualified for the certificates of attendance required under the regulations for the First Examination in Law in force in the year 1916 shall not be required to produce additional certificates of attendance in respect of the corresponding examination held under the regulations in force in the year 1917.

(vi) That the following additional transitory regulation be adopted :—

In the year 1917, in the B.L. degree examinations no paper will be set in "Madras Land Tenures," and candidates shall qualify for a pass in the examination who obtain the percentages of marks in the other subjects required by Regulation 232.

APPENDIX

(VII) EXAMINATIONS FOR THE DEGREE OF BACHELOR OF LAWS.

218. No candidate shall be eligible for the Degree of Bachelor of Laws unless he has taken the Degree of Bachelor of Arts in this University or a degree in some other university accepted by the Syndicate as equivalent thereto, and has also passed the two examinations in Law.

First Examination in Law.

219. The first examination shall be held twice a year in Madras and at such other centres as the Syndicate may appoint, and shall commence on the third Monday in April, and on the first Monday in October.

220. Applications for admission to this examination, in the form prescribed, must reach the Registrar not later than the 1st February or 15th July next preceding.

221. No candidate shall be admitted to the examination until he has been registered. No candidate shall be registered until he has paid a fee of thirty rupees. A candidate shall be registered afresh on each occasion on which he presents himself for examination.

222. Each candidate must forward with his application satisfactory evidence of having taken or of having qualified for the Degree of Bachelor of Arts or of having taken some other accepted degree and, unless specially exempted from so doing, he must also forward at least seven days before the first day of the examination, a certificate in the form hereinafter prescribed, from the head of a Law College affiliated to the University, that the candidate has attended an affiliated college for an academical year subsequent to passing the examination for the Bachelor of Arts or other accepted degree, that he has completed a course of study in each of the subjects prescribed for the examination and that his progress and conduct have been satisfactory, provided that candidates who were qualified to present themselves for the First Examination in Law in May 1902, according to the by-laws in force in May 1902, shall be eligible for admission to any subsequent First Examination in Law. Applications for exemption from the production of the abovementioned certificates must be forwarded on or before the 15th January in any year.

223. Candidates for the First Examination in Law shall be examined in the following subjects:—

- (i) Jurisprudence.
- (ii) Roman Law.
- (iii) The Law of Contracts, including Negotiable Instruments and Specific Relief (two papers).
- (iv) The Law of Torts.
- (v) Indian Constitutional Law.

224. The examination shall be conducted in the order of time and subjects set forth in the following table, and the number of marks assignable to each subject shall be as therein specified:—

Days.	Hours	Subjects.	Marks.
First day ..	10-1 2-5	Jurisprudence Roman Law	100 100
Second day ..	10-1 2-5	Contracts, including Negotiable Instruments and Specific Relief I. Contracts, including Negotiable Instruments and Specific Relief II.	100 100
Third day ..	10-1 2-4	The Law of Torts Indian Constitutional Law	100 70
Total ..			570

225. The candidates shall be ranked in the order of proficiency as determined by the total marks obtained by each, and shall be arranged in three classes:—

The first, consisting of those who obtain not less than 60 per cent of the total marks

The second, of those who obtain not less than 50 per cent of the total marks.

The third, of those who obtain not less than 40 per cent of the total marks.

To qualify for a pass candidates shall obtain one-third of the marks in Jurisprudence, Roman Law, and Indian Constitutional Law taken together, one-third of the marks in Contracts, and the Law of Torts taken together, and 40 per cent of the total marks.

The examiners shall be at liberty to bracket candidates when the difference between them amounts only to a very small number of marks.

B.L. Degree Examination.

226. The B.L. degree examination shall be held twice a year in Madras and at such other centres as the Syndicate may appoint, and shall commence on the third Monday in April, and on the first Monday in October.

227. Applications for admission to this examination, in the form prescribed, must reach the Registrar not later than the 1st February or the 15th July next preceding.

228. No candidate shall be admitted to the examination until he has been registered. No candidate shall be registered until he has paid a fee of thirty rupees. A candidate shall be registered afresh on each occasion on which he presents himself for examination.

229. Each candidate must forward with his application a certificate of having passed the First Examination in Law, and unless specially exempted from so doing he must also forward at least seven days before the first day of the examination, a certificate, in the form hereinafter prescribed, from the head of a Law College affiliated to the University that, after completing and receiving the certificate for the course prescribed for the First Examination in Law, the candidate has attended an affiliated college for an academical year, that he has completed a course of study in each of the subjects prescribed for the examination for an academical year, and that his progress and conduct have been satisfactory, provided that candidates who were qualified to present themselves for the B.L. degree examination in January 1903, according to the by-laws in force in January 1903, shall be eligible for admission to any subsequent B.L. degree examination. Applications for exemption from the production of the abovementioned certificates must be forwarded not later than the 15th January immediately preceding the examination at which the candidate wishes to appear.

230. Candidates for the B.L. degree examination shall be examined in the following subjects:—

- (i) The Law of Property, with special reference to the Transfer of Property Act, the Indian Trusts Act and the Indian Easements Act (two papers).

Questions shall ordinarily be set only on such points of the English Law of Property as deal with the general principles of the Law of Property and are calculated to enable students to appreciate the Indian Law of Property.

- (ii) Hindu and Muhammadan Law.

- (iii) The Principles of Land Tenure in the Madras Presidency.

- (iv) The Law of Evidence.

- (v) Criminal Law (Indian Penal Code).

231. The examination shall be conducted in the order of time and subjects set forth in the following table, and the number of marks assignable to each paper shall be as therein specified:—

Days.	Hours.	Subjects.	Marks.
First day ...	10-1 2-5	Law of Property I Do. II	100 100
Second day ...	10-1 2-4	Hindu Law Muhammadan Law	120 75
Third day ...	10-12 2-4	Madras Land Tenures Law of Evidence	70 80
Fourth day ...	10-1	Criminal Law	100
Total ...			645

232. The candidates shall be ranked in the order of proficiency as determined by the total marks obtained by each, and shall be arranged in three classes:

The first, consisting of those who obtain not less than 60 per cent of the total marks.

The second, of those who obtain not less than 50 per cent. of the total marks.

The third, of those who obtain not less than 40 per cent of the total marks.

To qualify for a pass candidates shall obtain one-third of the marks in the Law of Property and Madras Land Tenures taken together, one-third of the marks in Hindu and Muhammadan Law, one-third of the marks in Criminal Law and the Law of Evidence taken together, and 40 per cent of the total marks.

The examiners shall be at liberty to bracket candidates when the difference between them amounts only to a very small number of marks.

Order—No. 1207, Home (Education), dated 17th November 1916.

Under section 25 (1) of the Indian Universities Act, 1904, the Government sanction the alterations in the University Regulations relating to the "Examinations for the Degree of Bachelor of Laws" submitted with the Registrar's letter read above.

(True Extract)

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

To the Registrar, University of Madras.
Copy to the Director of Public Instruction.
Editors' Table.

NOTES CONNECTED WITH G.O. No. 1207, HOME (EDUCATION),
DATED THE 17TH NOVEMBER 1916.

[SUBJECT.—*University Regulations relating to the examinations for the
Degree of Bachelor of Laws.*]

From the Registrar, University of Madras, No. 8679, dated the 9th November 1916.

HOME (EDUCATION) DEPARTMENT.

Attention is solicited to the notes and orders with G.O. No. 727, Educational, dated the 3rd July 1915, in which the Government sanctioned certain alterations in the regulations providing for the extension of the B.L. Degree course from two to three years. It will be observed that the subject then evoked a good deal of agitation in the press and elsewhere, and the Madras High Court Vakils' Association also considered that the changes then sanctioned were unnecessary in the interests of true and sound legal education—page 6 of G.O. No. 727, Educational, dated the 3rd July 1915.

2. The proposal to revert to the two years' course seems to be salutary. Another important proposal is to have two Law examinations every year instead of only one at present. The remarks of the Director of Public Instruction may be obtained in the first instance as to whether the present body of regulations may be accepted.

E.A.V.—11-11-16.

T.K.—11-11-16.

C. RAMANUJA ACHARIYAR—12-11-16.

To the Director of Public Instruction.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

I am not in a position to dispute the conclusions arrived at by the Faculty of Law. The change to a three-year course was apparently too hastily decided on. Hence the present *volte-face*. I think the proposed regulations may be approved.

J. H. STONE—13-11-16.

To the Home (Education) Department.

HOME (EDUCATION) DEPARTMENT.

The Director of Public Instruction supports the regulations which provide for a reversion to the two years' course. The proposal to hold half-yearly examinations in Law is presumably based on the analogy of such examinations in Medicine, the institution of which was approved in G.O. No. 460, Educational, dated the 24th April 1914. Please see also paragraph 2 of G.O. No. 462, Educational, dated the 20th May 1913, and the portions side-lined on pages 1 and 5 of the notes therewith. Half-yearly examinations in Law are in vogue in Calcutta and Bombay also. Perhaps the entire body of regulations submitted by the Syndicate may be approved.

2 NOTES TO G.O. No. 1207, HOME (EDUCATION), 17TH NOVEMBER 1916

2. A draft order is submitted for approval.

E.A.V.—15-11-16.

T.K.—15-11-16.

C. RAMANUJA ACHARIYAR—16-11-16.

I agree with the Director of Public Instruction that the changes may be agreed to. Draft for approval.

P. RAJAGOPALA ACHARIYAR—16-11-16.

P[ENTLAND]—16-11-16.

Issue.

P.R.—17-11-16.

[G.O. No. 1207, Home (Education), dated the 17th November 1916.]

Secs. 11-10 (a)-12-1-15.

University Regulation. Home DEPARTMENT.

(Ed. 2)

Sanctioning certain alterations

in the — providing for a revision
(old scheme 24)
to the ~~last~~ ^{present} course and have
and for the holding of ~~the~~ ^{the} ~~examinations~~ ^{examinations} ~~twice a year~~ ^{twice a year}

READ AGAIN G.O. No. 727 ^{Ed.}, dated ~~the 2nd July~~ 1915. (1)

" " " " " " " " 191

READ ALSO:-

C. No. 4083 From the ~~Regd. Order~~ ^{Regd. Order}, No. 8679, dated ~~the 9th Nov~~ 1916.

" " " " " " " " 191

" " " " " " " " 191

ORDER.

(S.)

No. 1207 dated 17.11.1916

Under Section 25(V)
of the Indian Universities
Act, 1904, the Govt.
sanction the alterations in
the University Regulation
relating to the "Examinations"
for the Degree of Bachelor
"of Laws" submitted with
the Registrar's letter reads
above.

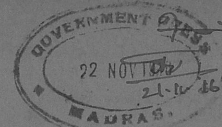
15.11.16

15.11.16

16.11.16

Recd + sent
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17.11.16

To
The Regd. Officer of
Madras
Copy to the D.P.S.
E.T.



HOME (EDUCATION) DEPARTMENT.
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[G.O. No. 1207, Home (Education), dated the 17th November 1916.]

Section II—38—3-14.

ORDINARY

PRESS SLIP.

PREFERENCE

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DEPARTMENT.

Current No. dated 191

G.O. No. 20 dated 1916

Number of MS. pages sent ^(b) Correspondence..... 8 ^(b) Notes..... 6

Brief subject..... [Handwritten: Note 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100]

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(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

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Clerk.

Supdt.

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